

Notice of Allowability

Application No.

09/141,264

Examiner

Yogesh C. Garg

Applicant(s)

JONES ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to TD Approval on 6/1/06, Petition Decision on 5/17/06 & Board Decision on 11/18/05.
2. ☒ The allowed claim(s) is/are 58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

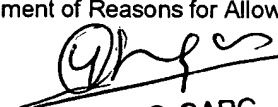
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


YOGESH C. GARG
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

1. This action is being written pursuant to the following:

Board's Decision on 11/18/2005 affirmed rejection of claims 1-57 under the provisional obvious patenting as well as under USC 103, affirmed the rejection of claim 58 under the provisional obvious patenting but reversed the rejection of claim 58 under USC 103.

Decision on Petition under 37 C.F.R. 1.137 (b) on 5.17.2006 granting to revive the application.

Approval of the applicant's Terminal Disclaimer on 6/1/2006 filed on 5/31/2006.

Allowable Subject Matter

2. Claim 58 is allowed.

The following is an examiner's statement of reasons for allowance:

Reasons for Allowance

Claims 58

3. The prior art of record neither anticipates nor renders obvious a method processing travel requests as a whole comprising, inter alia, receiving a travel goal including a destination location and an appointment time, recommending a plurality of travel options and recommending a plurality of secondary modes of transportation based on the travel goal to ensure arrival at the destination location by the appointment

time, invoking a transportation decision system to select one of the plurality of travel options and one of the secondary modes of ground transportation based on the recommended travel options and the recommended secondary ground transportation, determining whether an overnight stay is required, invoking a hotel decision support system to select a hotel when it is determined that an overnight stay is required, and invoking an activity and restaurant decision support system to select activities and restaurants in a vicinity of the destination location .(see independent claim 58).

The claims subject matter is supported by the disclosure (see applicant's "summary of invention " on pages 2-3 of the Appeal Brief filed on 7/12/2004 wherein it is stated that the method is processed by a data processing system and computer readable medium.

4. Discussion of most relevant prior art:

The following references have been identified as most relevant prior art to the claimed invention(s).

The most closely applicable prior art of record is referred to combination of Delorme (US Patent 5,948,040) and Press release, " ICL NETS CONTRACT FOR BIRMINGHAM TRANSIT INFO SYSTEM ", Intelligent Highway, v5, n2, pN/A, May 1, 1993, 1 page, word count 399, from Dialog database, Item 9 from file 16, document

number 02834213, supplier number 43812678, extracted on Internet on 01/20/2003, hereinafter, referred to as Press release.

DeLorme discloses an interactive method for processing travel requests including all the steps as claimed with respect to travel modes, secondary modes, the hotels, the activities and the restaurants but requires the user input to put it all together (column 8, lines 33-39, column 17, line 44-column 18, line 12, column 19, lines 39-58, column 23, lines 14-63; column 26, lines 29-55; column 34, line 57-column 35, line 8, column 40, line 38- column 41, line 5, column 50, lines 30-35, column 51, lines 31-36, and figures 7A-7B.). Delorme does not disclose plurality of options and selection therefrom by the system. In Delorme the user puts/selects the requirements/option himself rather than the system performing them (see Board decision, pages 12-13 and the Applicant's arguments in the Appeal Brief on pages 6-7 filed on 7/12/2004 and in Appeal reply Brief on pages 6-7 filed on 11/22/2004). Press release discloses an automatic information system for Birmingham transit network which will provide real time bus scheduling information and recommend alternative transportation modes to the transit riders via specially designed interactive terminals. The scheduling information will also display arrival time of a series of busses on the interactive terminals and these terminals would enable the riders to calculate transit routes by bus or train for the selected destinations. Press Release does not teach or suggest recommending a plurality of modes and selection of transportation modes based on a user's travel goal disclosed in Delorme and therefore it would not have been obvious to one of an ordinary skilled in the art to combine the teachings of Press Release with those of Delorme to arrive at the claimed

invention (see Board Decision pages 12-13, and the Applicant's arguments in the Appeal Brief on pages 6-7 filed on 7/12/2004 and in Appeal reply Brief on pages 6-7 filed on 11/22/2004). Therefore, the combined teachings of Delorme and Press Release cannot be used to establish a prima facie case of obviousness with regards to the claimed invention.


6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Yogesh C Garg', with a long horizontal line extending from the end of the signature.

Yogesh C Garg
Primary Examiner
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YCG
6/10/2006